

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
COUNTY OF NEWPORT**

At a meeting of the Town Council of the Town of Tiverton, County and State aforesaid, held at the Tiverton Town Hall, 343 Highland Road, on the 29th day of September 2009 A.D. at 7:00 p.m.

President Bollin opened the meeting with the Pledge of Allegiance to the Flag.

Roll Call:	Donald Bollin-President	Jay Lambert
	JoAnne Arruda-Vice President-Absent	Cecil E. Leonard
	Hannibal Costa	Edward Roderick
	Louise Durfee	

Town Administrator, James C. Goncalo
Town Solicitor, Andrew M. Teitz were also present.

Approval of Consent Agenda:

All items listed with (CA) are to be considered routine by the Town Council and will be enacted by one motion. There will be no separate discussion of these items unless a member of the Council or a member of the public so requests, in which event the item will be removed from Consent Agenda (CA) consideration and considered in its normal sequence on the agenda.

Council President Bollin read the items on the Consent Agenda.

Councilor Durfee requested removal of item A-3c, correspondence regarding Bourne Mill Redevelopment Update, for discussion.

Councilor Leonard made a motion, seconded by Councilor Roderick to approve the Consent Agenda as read. Motion passed unanimously.

The Consent Agenda was as follows:

CONSENT AGENDA:

A-1-Approval of Minutes of Previous Meetings:

- a. Approval of Minutes from September 14, 2009 Regular Council Meeting
- b. Approval of Executive Session Minutes from September 14, 2009
- c. Approval of Minutes from April 6, 2009 Special Council Meeting
- d. Approval of Executive Session Minutes from April 6, 2009 Special Council Mtg

A-2-Receipt of Minutes from Various Board and Commissions:

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|----------------------------|-------------------------------------|-------------------------------------|
| a. Recreation Committee | d. Harbor Commission (2) | g. Recycling/Landfill Committee (2) |
| b. Planning Board | e. Wastewater Management Commission | |
| c. Conservation Commission | f. Cemetery Commission | |

A-3-Correspondence:

- a. Received From Town of Gloucester, Town of Middletown, Town of South Kingstown and City of Newport – Resolutions Opposing Binding Arbitration for Teacher Contracts
- b. Received From Town of Burrillville, Town of Charlestown, Town of Middletown Town of Narragansett and City of Providence – Resolutions Proclaiming September as Ovarian Cancer Awareness Month
- d. Received From Kate Michaud, Planning Board Administrative Officer Dated September 18th Regarding Tiverton Yacht Club Zoning Amendment Request

A-4-Approval of Tax Assessor Abatements

A-5-Distribution of Treasurer’s August Budget and Revenue Reports

Received From Kate Michaud, Planning Board Administrative Officer Dated September 10th Regarding Bourne Mill Redevelopment Update

Councilor Durfee questioned the status of the Bourne Mill Development due to the recent fire at the development, wanted to know if the Council should direct a letter to the Planning Board for a follow up letter. Town Clerk Nancy Mello informed Council she had received an email from the Administrative Officer, Kate Michaud, who has not yet received any response from the letter sent to the Bourne Mill, however, it is on for the planning board October 6th meeting. Solicitor Teitz noted the Council should wait another two weeks for a reply.

Councilor Durfee made a motion to receive and file the correspondence regarding the Bourne Mill Redevelopment. Seconded by Councilor Roderick motion passed unanimously.

NEW BUSINESS:

Approval of Pocasset Hill Cemetery Handbook

Councilor Durfee made a motion, seconded by Councilor Costa, to approve the Pocasset Hill Cemetery Handbook as presented. Motion passed unanimously.

TOWN ADMINISTRATOR ANNOUNCEMENTS, COMMENTS AND QUESTIONS

1. The Gateway sign, located in North Tiverton, just over the line from Fall River, has been painted and the area cleaned. Plan to ask the Garden Club to adopt the area.
2. No Bin/No Barrel starts next Monday.
3. Flu shots were given out at the Senior Center last Thursday-204 people showed up, 198 shots were given.
4. Project Clean Up is underway this week involves cleaning up of the shoreline from Fall River to Little Compton. Dept. of Environmental Management contracts with a company to remove debris. Town to provide containers to be taken to landfill in Johnston free of charge. Dumpsters and transportation costs estimated to be \$1,000.00

- 5. A horse on East Road, across from the Fire Station, had to be euthanized because of EEE. Portions were taken for testing and confirmed. Contacted mosquito abatement area of DEM, the area has been tested, nothing found, would notify the Town immediately, and considered low risk.
- 6. Compliments to the Tiverton Fire Department and surrounding area Fire Departments on a job well done on the Bourne Mill fire. The new building sustained some damage due to broken glass and to the two doors. A great job, thanks to the Tiverton Fire Dept and the eight Fire Depts. that assisted.
- 7. The Senior Citizens Center roof project has been completed for one side included a rebuilt chimney and fixing the cupolas.

COUNCIL ANNOUNCEMENTS, COMMENTS AND QUESTIONS:

Councilor Lambert, liaison to the Recycling/Landfill Committee presented the Council with a proposal for a “Pay As You Throw” trash program. This final proposal of the Recycling Committee passed on a 5-2 vote at their meeting on September 24th. Councilor Lambert intends to put the proposal on the next Council agenda to schedule a public hearing.

CLOSED EXECUTIVE SESSION

1. Councilor Leonard-42-46-5 (a)(2) -Collective Bargaining-Teamsters, IAFF& IBPO

2. Town Solicitor - Litigation – 42-46-5(a) (2)

3. Town Solicitor – 42-46-5(a)(6) - Prospective Business or Industry

4. Councilor Leonard – 42-46-5(a)(1)-Personnel – Town Administrator – Notice Sent

Councilor Durfee made a motion, seconded by Councilor Roderick to enter into Executive Session pursuant to 42-46-5(a)(2)-Collective Bargaining-Teamsters, IAFF & IBPO. Motion passed unanimously.

Councilor Durfee made a motion, seconded by Councilor Roderick to remain in Executive Session pursuant to 42-46-5(a)(2)-Litigation. Motion passed unanimously

Councilor Durfee made a motion, seconded by Councilor Roderick to further remain in Executive Session pursuant to 42-46-5(a)(6)-Prospective Business or Industry. Motion passed unanimously

Councilor Durfee made a motion, seconded by Councilor Roderick to further remain in Executive Session pursuant to 42-46-5(a)(1)-Personnel-Town Administrator-Notice Sent. Motion passed unanimously

The record reflects the Town Administrator has received and signed written notice of discussion to take place in Executive Session.

The Council entered into Executive Session at approximately 7:20p.m.

The Council returned to Open Session at approximately 10:00p.m.

OPEN SESSION:

Council President Bollin announced that formal action had been taken in Executive Session. Councilor Roderick motioned to seal the minutes of Executive Session, seconded by Councilor Leonard. Vote was unanimous.

ADJOURNMENT:

Councilor Roderick motioned to adjourn, seconded by Councilor Durfee. Motion passed unanimously.

Council adjourned at approximately 10:05p.m.

A True Copy.

ATTEST: _____
Nancy L. Mello, Town Clerk